



City of Seattle

Gregory Nichols, Mayor

Department of Design, Construction and Land Use

D. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2300292

Applicant Name: Rick Anderson, Architect for Roy Bishop

Address of Proposal: 4316 36th Ave W

SUMMARY OF PROPOSED ACTION

Master Use Permit for the construction of a four (4) unit townhouse structure. Parking for each unit will be provided at grade within each townhouse. The Project includes the demolition of one (1) single-family structure, and preservation of two exceptional Pacific Dogwood trees.

The following Master Use Permit component is required:

Administrative Design Review – Seattle Municipal Code (SMC) Section 23.41 to protect exceptional trees with the following Development Standard Departures:

1. Open Space – To allow less than the minimum amount of open space per unit (SMC-23.45.016-A3a(1)).
2. Front Setback – To allow less than the required front setback (SMC-23.45.014-A).
3. Rear Setback – To allow less than the required rear setback (SMC-23.45.014-B).
4. Side Setback – To allow less than the required north side setback (Table SMC-23.45.014-A)
5. Parking Aisle Dimensions – To allow a decrease in the required aisle width for 90° parking angles (Exhibit SMC-23.54.030-D).
6. Structure Depth – To allow an increase from the maximum building depth (SMC-23.45.011-A).

BACKGROUND DATA

Site Description

The approximately 4,300 square foot site is located in the Magnolia area of Seattle and is zoned Lowrise 3 Residential Commercial (L3-RC). In the immediate vicinity the Lowrise 3 Residential Commercial zone abuts the subject lot on the north, south and east lot lines. In the general vicinity, a Lowrise 3 (L3) zone is located directly south and across W Government Way. To the north and south of the L3 and L3-RC zones there is a Single Family 5000 (SF5000) zone. Natural areas are in close proximity to the subject site, to the east, Kiwanis Ravine and to the west, Discovery Park. The site is located between these two natural features. Development in the vicinity consists of some small multifamily structures and mostly small scale single family structures to the north and larger scale multifamily structures to the south with some small scale single family structures.

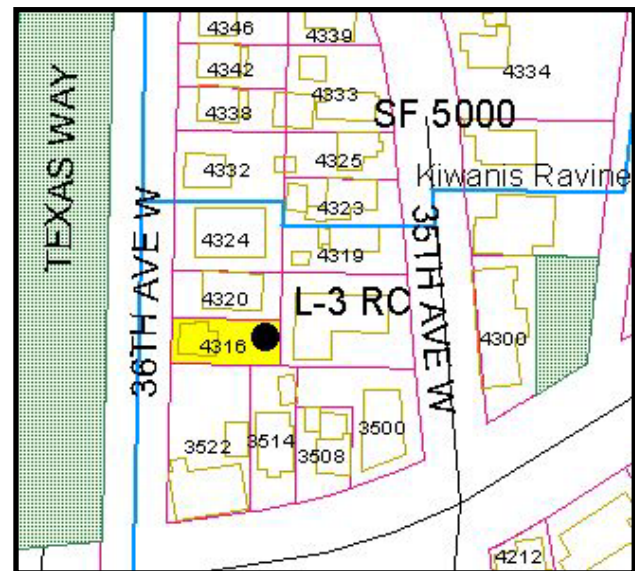


Vicinity Map

Proposal

The applicant proposes to remove the existing single family structure and construct four (4) townhouses in one structure. Parking will be located in attached garages underneath each unit and access will be via a shared driveway off of 36th Ave W. The proposed structure will be approximately 82' x 33', with the bulk of the structure proposed at the front of the lot using setback departures to preserve two exceptional trees (Pacific Dogwoods-Cornus Nattalii), as provided in SMC 25.11.070 "Tree Protection."

The proposed base height of the structure is 30 ft with a pitched roof extending to 35 ft, which is permitted outright in the L-3 zone. One principal pedestrian entrance is proposed to be located facing west to the only street frontage, 36th Ave West, with the remaining three principal entrances planned to face south towards the side setback.



Public Comments

DCLU received one comment letter and one phone call concerning the project during the comment period following the notice to the public. The comments of the letter expressed concern about the proposed departures from Land Use Code development standards. Also, preserving the character of the neighborhood's adequate parking and green open spaces are

important for the community and those who visit Discovery Park. Discussion by the applicant and the City with the neighborhood group Heron Habitat Helpers further showed support from the community to retain the trees, justifying the setback departures requested, which will also help to maintain the natural habit areas in the area.

ANALYSIS - DESIGN REVIEW

PRIORITIES:

After visiting the site and analyzing the site in its context and the conceptual massing and parking scheme provided by the proponents, and reviewing public comment, the Director provided on July 25, 2003, the following siting and design guidance and identifies by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority for this project:

A. Site Planning

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as unusual topography, significant vegetation and views or other natural features.

The subject site has several distinguishing and significant site characteristics. These characteristics are as follows: a gentle slope down from the street; partial views of Discovery Park to the west; two (2) exceptional trees (cornus nattallii), one near the rear lot line, one near the south side lot line to the rear portion of the lot; a rich high tree canopy visible above the rooflines in the close vicinity.

The structure should be designed to allow for some ground level open space for each unit and the structure should continue as proposed in the preferred "setback" scheme in order to preserve the exceptional trees on site. A single principle pedestrian entrance facing the street should be designed to accentuate its relation and proximity to Discovery Park; architectural detailing of the entrance should also compliment and match the single family structures to the north.

The design submitted to DCLU on May 30th, 2003 The MUP/construction plans were submitted for review on August 21st 2003. The design of the structure allowed for the retention of the exceptional trees while the setback departures allowed the full recovery of the floor area that was lost by avoiding the tree protection zone. The use of decks, weather protected and detailed entries, pedestrian friendly arbors and paths, a mix of quality finish materials, and enlarged garage entrance widths all responded well to the early design guidance notes from the Department. The proposal is successful in meeting the guidance and recommendations posed by the Department, while celebrating and preserving the exceptional trees and character of the neighborhood.

Department Direction and Recommendations:

After visiting the site, considering the public comment, reviewing the health of trees, analyzing the surrounding development and related zoning implications of the proposed structure, the Department recommends **approval** of the proposed **design**, noting the following comments and

recommendations. The recommendations below are a product of issues that were addressed in the early design guidance notes and not reflected in the MUP and construction plans submittal.

The submitted MUP/construction plans did not address all issues communicated in the early design guidance notes. Further information is needed that addresses the proposed color scheme as no information was submitted. Also, a detailed landscape plan showing how strategically placed foliage or fencing will mitigate light and sound infiltration on adjacent sites. The highest priority of the project, the tree preservation, should be reflected on the plans; diagnosing the tree fungus cited by the proponent's landscape architect and implementing a recommended treatment plan. Further, detailing the drip lines of the trees and adding the recommended protection measures of the proponent's landscape architect to the final permit plans.

Included private usable open space for each unit, as required for townhouse development. The front of the structure has the look of single-family design as only one entrance is located facing the street, with a second floor projecting deck and vehicle access north of the pedestrian entrance. The deck matches similar porches and front yard congregating areas located on the multifamily and single family structures to the north meeting the requested guidance.

A-2 Streetscape Compatibility. The siting of the buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The surrounding multifamily (four and six-plex) and single family structures relationship to the streetscape have varied front setbacks. The pattern in the immediate vicinity (subject site and three properties to the north) shows a trend of front setbacks of approximately 5'-28'-20'-10' from the street, moving north from the subject site respectively.

The abutting lot to the south is the corner lot on the south west corner of the block. The existing structure on this lot is located in the southern portion of the lot, leaving a substantial separation of structures between the subject lot of approximately 60+'. The non-conforming side setback facing 36th Ave W for the existing structure on 36th Ave W is minimal as the structure is near a zero lot line. To maximize the corner lot's development potential, the front setback of the structure would be off W Government Way, in turn the corner lot would be a reversed corner lot, with side setback on 36th Ave W required to be 10'.

The siting of the proposed structure does provide some transition from the larger setbacks directly north to what should be a 10' setback for the reversed corner lot to directly south. The proposed structure has a modulated front, separating the vehicle access to the north portion of the lot and the sole residential entrance facing the street. The proposed setback is greater for the vehicle access portion of the structure and less for the sole entrance facing the street. The siting of the proposed structure should create a patterned transition from the multifamily structures directly north.

The modulated front façade and projecting deck, mentioned in A-1, create streetscape compatibility by providing a transition from the variable front setbacks to the north and the near zero lot line of the corner lot mentioned above.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

Achieving a residential character and scale indicating individual townhouse units is fundamental to the success of this project. Adherence to this design priority as it relates to this guideline focuses on creating distinctive individual entries. The proposed single entrance facing the street shows a distinctive similarity to the single family character of the properties to the north. The remaining three entrances are proposed to face the side lot line where there is a large amount of physical space between the proposed structure and the existing structure on the south west corner lot of the block, as previously mentioned. One entrance is proposed to not be visible from the street as the structure's side setback widens near the rear of the structure to accommodate one of the exceptional trees noted above. The remaining two entrances facing the southern side lot line will be slightly visible from the street.

The proponent's MUP plans submitted on August 21st 2003 responded to the early design guidance notes, which requested the entrances to each unit be clearly delineated and bordered. The proponent's response showed architecturally featured whether protected entrances, with depressed doors accessed by a clear pedestrian path and arbor, which are supported by the department and meet this design guideline.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The siting and design of the existing development on the subject site and adjacent properties to the north has created a human scale that is clearly residential. While the pedestrian character is apparent, the developed side of the street has a narrow sidewalk and the opposite side of the street has no sidewalk or any other street improvements and is used for overflow parking. Desirable siting patterns and design characteristics of adjacent sites include:

- *a range of front setbacks of about 8-28 feet;*
- *Significant amounts of landscaping in the front setbacks.*

These site characteristics should be reflected in the design of the proposed project and need to sensitively relate to the north property line.

The revised design did not address how the project will match the pattern of front setback landscaping that is an element of many lots in the vicinity and was requested in the early design guidance. Proper conditioning for this element is warranted.

A-6 Use space between building and sidewalk to provide security, privacy and interaction among residents and neighbors

Some of the surrounding residences have front porches, decks, stepped entries or fenced areas in the front of the structure, which all have a view the street. These open porches, decks and individual entries provide semi-public spaces and provide interaction with the street and certain amount of security by putting eyes on the street. The proponent should take cues from this neighborhood context and incorporate some of these architectural

features to contribute to a continuous, safe and engaging streetscape. The design should include decks facing the street that do not project to close to 36th Ave W.

In the revised design, the modulated and reduced front setback along with the front projecting deck mentioned above, provide good interaction between the structure and the sidewalk, as eyes will be on the street due to the proximity of the deck and clearly identified single entrance facing the street.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The driveway width should be minimized to ensure pedestrian safety along the street while still allowing a concealed presence to the greatest extent possible. The project shown locates one pedestrian walkway from the street to the rear townhouse in the side yard opposite the driveway which will still allow for some direct access open space for the units with entrances on the southern side lot line. This will minimize pedestrian-vehicle conflicts, and help create more identifiable entrances for the whole structure. Details of the individual entrances to the rear unit should be clearly delineated.

The revised design shows a code conforming ten (10') foot driveway. The impact of the auto access to the pedestrian environment can be mitigated with proper landscaping, while still providing functional access with regards to site triangles and safety issues.

B. Height, Bulk and Scale Compatibility

Pursuant to design review guidelines for Height, Bulk and Scale Compatibility, projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near by, less intensive zones.

The proposed project is an L3-RC zone and as noted above, is surrounded by single family and L-3 zones that have identical height requirements. As proposed the structure is 30' in height to the plate and 35' to the ridge line of the pitched roof, which is the allowable height limit of both zones in the immediate vicinity. Future development in the area can build to the same height, so the proposal is not out of character of neighboring zone development standards.

The neighborhood provides rich examples of a variety of domestic architecture. Roof styles include: gable end pitched roofs; mixtures of pitched roofs of variable ratios. The project should include a medium pitched roof ($4 \leq 6:12$) to reflect the roof forms in the area.

The conceptual siting of the development proposed by the architect organizes the four units into one structure. As a result, the potential bulk and scale of the project allowed under L-3 development standards is maximized as the avoidance of the exceptional trees forces the building to the front of the lot. Under the tree protection ordinance SMC 25.11.070-2.b, either, but not both height departures or setbacks may be used in order to recover the total floor area that is allowed by the L -3 development standards for development coverage and height limits. Using the height departure method to recover

the floor area, would not fit into the character of the neighborhood as all of the residences in the immediate vicinity are no more than two stories in height. The height departure can permit the ridge of the pitched roof to extend up to 40' in height, but as stated would not fit into the character of the neighborhood.

The Department supports using setback departures to preserve the exceptional trees to create a better step in the perceived scale/height between the proposed & structures to the north. Further, the proposal will better minimize the bulk and scale that would result with a 40' structure meeting current development standards in an L-3 zone, as allowed by the height departure of SMC 25.11.070-2.b.

The submitted MUP/construction plans used the preferred setback scheme, supported by the Department in the early design guidance.

C. Architectural Elements and Material

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Materials, textures and pattern should contribute to, and reinforce, the desired individual townhouse character. Finish materials should also be applied to further reduce the scale of the building by reinforcing intervals while creating individual identity among units. This guideline is of highest priority, as successful arrangement of finish materials to building forms, features and details should aid in defining attractive, distinctive and high quality townhouse units. The designer should explore use of light earth tone colors that relate to the close proximity of natural areas and submit studies for review by DCLU.

The revised design did not address the request of the Department to submit studies and or samples of colors. Therefore proper conditioning is warranted.

D. Pedestrian Environment

D-1 Provide convenient, attractive and protected entries.

Convenient and attractive access to the building's entries should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

The revised design addresses this design criteria as previously stated in A-3 above.

D-6 Screen Dumpsters, Utility and Service Areas. Elements such as dumpsters, utility meters, mechanical units and service areas should be situated and screened from view and should not be located in pedestrian areas.

The design should ensure that there would be no dumpsters/recycle areas (if proposed) directly visible from the street and that they shall be screened from view.

No waste containers are proposed for this project and are not required by the land use code.

E. Landscaping

E-1 Reinforce existing landscape character of neighborhood. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The designer should incorporate landscaped space in the front setback which would complement the existing streetscape pattern.

E-2 Landscaping to Enhance the Building and/or Site.

The applicant should incorporate a trellis or arbor along the south property line to clearly mark pedestrian entries and identify the entrance to the rear units from the sidewalk. Vision repetition of this type of feature should also positively contribute to the streetscape.

The revised design configures a pedestrian walkway on the southern portion of the lot, with access to the walkway through an arbor, which meets the early design guidance of the Department.

E-3 Landscape Design to Address Special Site Conditions.

Landscaping shall be selected and sited to mitigate noise and privacy impacts on adjoining properties. This is particularly applicable to the north property line, where landscape treatment should also soften the potential reflective noise effect, which could result from the close proximity of the proposed and existing buildings as a result of the vehicle access location on the northern portion of the lot with open walls. Parking under the structure should be adequately screened with fencing & landscaping. All lighting in parking areas and pedestrian entrances facing the southern property line should be completely baffled to prevent overflow onto adjacent properties.

The revised MUP/construction plans did not include a landscape plan and information of how the landscape will mitigate light, glare and noise impacts to adjacent sites, as requested in the early design guidance. As a result proper conditioning is warranted.

Tree Preservations & Departures

The matter of tree preservation at this site is of enormous importance to many residents in the neighborhood. The Seattle Department of Transportation's Landscape Architect office coordinates tree issues associated with development projects. An initial field review made by staff from a Landscape Architect noted two Dogwood Trees on the subject property that are of exceptional quality. As a result the proponent had an analysis of the trees done by a Landscape Architect, who has reviewed the proposed building with departures and states that the trees should remain healthy with no negative impacts with the correct tree fungus treatment, proper protection measures, and a limited construction infringement of no more than 1/6th in to the drip lines. Retention of valuable and healthy trees is encouraged by the City and Department. The condition and significance of the potentially affected trees must be further documented in the siting of the proposed structures taking in consideration the recommendations of the proponent's landscape architect.

The revised MUP/construction plans did not include the tree information requested in the early design guidance noted above. The exceptional trees are the driving force of this project, as a result proper documentation is critical to the projects success and tree preservation. Proper conditioning is warranted.

SUMMARY OF DEPARTURES

The applicant requests departures from the following Land use Code Development Standards (See figure 1, page 10):

1. Open space standards (reduction in amount per unit)
2. Reduce front, rear (3.) and side (4.) setback; front to 4', rear to 14', and N. side to 5'
5. Reduce the parking aisle standards to 21'.
6. To allow structure depth to be 82'.

Requested departures one (1) through six (6) result from the concept site plan submitted by the applicant, which calls for one building that avoids the two designated exceptional Pacific Dogwood trees and at the same time recovers the floor area that would be allowed by a code conforming building while removing the trees.

*The Department **approves** the requested departures requested above with the following provisions and conditioning of the project:*

1. Provide a detailed landscape plan addressing light, glare and auto noise issues on adjacent properties and also addressing E-1 of the early design notes, asking for landscaping in the front setback to compliment the existing streetscape.
2. Use door window features to create a more attractive southern façade and entrances into all units. Place more windows on the street facing façade where practicable.
3. Document the health and retention plans for the exceptional trees including the following: drip lines, construction/protection measures, diagnosis of tree fungus and a treatment plan.
4. Submit a color scheme to the Department for approval that compliments the natural features in the area. Include drawings displaying the layout of the proposed colors along with true color samples.

The applicant requested possible departure from the following Land Use Code development standards:

Development Standard	Requirement	Proposed	Comment	Action by Director
SMC 23.45.016-A3a Open Space Requirements	Average 300 sq ft of private usable, directly accessible open space per unit, with no unit having less than 200 sq ft.	Two of the units will not have the 200 sq ft minimum standard and as proposed will have greatly reduced individual open	The total open space is proposed at approx. 1,257 sq ft total. Considering the retention of the exceptional trees, the reduced open space is contingent on saving the trees.	Considering the overall design and retention of the exceptional trees DCLU supports the reduction on open space standards.

Development Standard	Requirement	Proposed	Comment	Action by Director
		spaces from 200 sq ft minimum to approximately 70 sq ft.		
SMC Exhibit 23.54.030-D <i>Parking Aisle Dimensions</i>	90° Parking angles for medium sized parking stalls require 22 ft of unobstructed aisle space for proper vehicle maneuvering.	For three of the four units, the aisle dimension is proposed to be 21ft.	The piecing together of the side setbacks, parking and aisle width requirements while still preserving the exceptional trees is challenging to the subject lot without granting further setback and open space departures. Further setback departures may reduce open space to a level that is not supported by DCLU.	Parking aisle standards are important for today's larger cars, though the use of wide (8 ½ ft) garage doors and strategically placed support beams may yield a design that works with the reduced aisle standards.
SMC Table 23.45.011-A <i>Structure Width and Depth in Lowrise Zones</i>	Apartments and ground related housing including townhouses, 65% depth of the lot. In this case the lot depth is 100' x 65% = 65 ft.	The total lot depth is proposed to be 82 ft.	Allowing additional building depth is necessary to recover the floor area that would be lost by avoiding the tree protection area specified by the proponent's landscape architect.	The tree protection is of the most importance to the Department and the community. The departure allows for the retention of the exceptional trees and the additional building depth is necessary to recover the floor area that is lost by avoiding the tree protection area.

Development Standard	Requirement	Proposed	Comment	Action by Director
SMC 23.45.014-A Front Setback Requirement (L-3) Townhouses	The front setback is either the average of the first principal structures on either side or the minimum setback is 15 ft. The front setback of townhouses can be averaged.	The applicant proposes an averaged front setback comprising of two facades, one (southern portion) at 4 ft and the other (northern portion) at approx. 8 ft for an approximate average of approximately 6 ft.	The modulated front façade provides a stepped street front which provides transition to the development to the north and also provides a good transition into the reversed corner side setback of the corner lot to the south.	Front setbacks are variable in the area, but the use of decks in the front setback would provide a common relation to the street, which is the trend on the streetscape. The department supports the proposed stepped front setback and façade as it provides good transition from existing development. The reduced front setback also assists in recovering the floor area that is lost by preserving the exceptional trees.
SMC 23.45.014-B Rear Setback Requirements (L-3)	The rear setback is 25 ft or 15% of lot depth, whichever is less, in no case less than 15 ft. Lot depth = 100 ft x 15% = 15 ft rear setback requirement.	The applicant proposes a 14 ft setback for the northern portion of the rear façade. The rest of the rear façade will meet code requirements.	The departure is minimal to avoid the tree protection (drip line) area specified by the proponent's landscape architect.	It is the city's policy to retain exceptional trees, and the construction standards specified by the applicant's landscape architect require that the building avoid the drip line of the tree protection area. The stepped rear façade will also provide a transition in the building that accentuates the exceptional trees.
SMC Table 23.45.014-A Side Setbacks Lowrise Zones	Side setbacks are proportional to the structure depth and height of the side façade. In this case, the structure depth and height of the proposed structure would require a 9 ft average and 6 ft minimum.	The north side setback is proposed to be a 5 ft average and 5 ft minimum.	Allowing the reduced side setback is necessary to recover the floor area that would be lost by avoiding the tree protection area.	The Department is in support of the reduced setback to recover the floor area by avoiding the exceptional trees. The full setback will be used as a parking aisle as proposed and the applicant should make use of fencing as landscaping will not have ample room survive and still mitigate the vehicle impacts the northern property from the subject site.

Architects Design Response

The MUP/construction plans were submitted for review on August 21st 2003. The design of the structure allowed for the retention of the exceptional trees while the setback departures allowed the full recovery of the floor area that was lost by avoiding the tree protection zone. The use of decks, weather protected and detailed entries, pedestrian friendly arbors and paths, a mix of quality finish materials, and enlarged garage entrance widths all responded well to the early design guidance notes from the Department. The proposal is successful in meeting the guidance and recommendations posed by the Department, while celebrating and preserving the exceptional trees and character of the neighborhood.

Department Direction and Recommendations:

After visiting the site, considering the public comment, reviewing the health of trees, analyzing the surrounding development and related zoning implications of the proposed structure, the Department recommends **approval** of the proposed **design**, noting the following comments and recommendations. The recommendations below are a product of issues that were addressed in the early design guidance notes and not reflected in the MUP and construction plans submittal.

The submitted MUP/construction plans did not address all issues communicated in the early design guidance notes. Further information is needed that addresses the proposed color scheme as no information was submitted. Also, a detailed landscape plan showing how strategically placed foliage or fencing will mitigate light and sound infiltration on adjacent sites. The highest priority of the project, the tree preservation, should be reflected on the plans; diagnosing the tree fungus cited by the proponent's landscape architect and implementing a recommended treatment plan. Further, detailing the drip lines of the trees and adding the recommended protection measures of the proponent's landscape architect to the final permit plans.

DCLU's Analysis and Decision: Design Review

The Department supports the overall design of the structure, specifically the stepped front façade with the street facing deck, the mix of finished materials accentuating each unit, and the detailed and weather protected entrances into the structures (further addressed below). However, the Director wants to see additional design information submitted in updated MUP/construction plans or submitted separately:

1. Provide a detailed landscape plan addressing light, glare and auto noise issues on adjacent properties and also providing landscaping in the front setback to compliment the existing streetscape pattern.
2. Use door window features such as sidelights to create a more attractive southern façade and entrances into all units. Place more windows on the street facing façade where practicable.
3. Document the health and retention plans for the exceptional trees including the following: drip lines, construction/protection measures, diagnosis of tree fungus and a treatment plan.
4. Submit a color scheme to the Department for approval that compliments the natural features in the area. Include drawings displaying the layout of the proposed colors along with true color samples.

Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans submitted on August 21st, 2003. DCLU finds that the proposed design adequately conforms to the applicable Design Guidelines.

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, DCLU **approves** the subject design, including the six (6) departures from the development standards **to the conditions below**.

CONDITIONS – DESIGN REVIEW

The owner applicant/responsible party shall:

Prior to Issuance of Building Permit

1. Using a tree care professional (licensed arborist or landscape architect), document on a tree plan in the MUP/construction plans the health and retention plans for the exceptional trees including the following: drip lines, construction/protection measures (as stated by the proponents submitted tree analysis and required by SMC 25.11), a diagnosis of the tree fungus and a scheduled fungus treatment plan. Submit this information for approval to the Land Use Planner.
2. Submit to DCLU for review and approval a detailed landscape plan with a plant list and landscaping in the front setback to complement the adjacent streetscape pattern
3. Submit to DCLU for review and approval a site plan or other drawings documenting how the design provides for appropriate shielding of light, glare and car noise on adjacent properties
4. Use door window features such as sidelights to create a more attractive southern façade and entrances into all units. Place more windows on the street facing façade where practicable.
5. Submit a color scheme to the Department for approval that compliments the natural features in the area. Include drawings displaying the layout of the proposed colors along with true color samples.

During Construction

6. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.
7. For the duration of the construction activity, the applicant/responsible party shall adhere to all measures set forth in the required Tree Preservation Plan.

8. All changes to the exterior facades of the building and landscaping on site must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to completion of the exterior façade of the

9. Submit a proposed color scheme to the Department for approval that compliments the natural features in the area. Include color drawings displaying the layout of the proposed colors along with true color samples. Submit this information for approval to the Land Use Planner.

For the Life of the Project

10. The existing Pacific Dogwood trees (Cornus Nattallii) shall be preserved. A covenant shall be placed on any future unit lot subdivision that has an exceptional Pacific Dogwood in its boundary. It will be the responsibility of the owner of the unit lot which includes any of the said trees, to maintain the trees health and specified treatment plans proscribed by the proponent's tree care professional. The covenant needs to include the fungus treatment plan, a statement that the owner of the unit lot is responsible for the maintenance and health of the tree as required by the tree care professional analysis in the Tree Retention Plan.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lucas DeHerrera, (206.615.0724) or the Senior Land Use Planner for the project Vince Lyons, (206.233.3823) at the specified development stage, as required by the Director's decision.

The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DCLU, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: (signature on file) Date: September 29, 2003

Lucas DeHerrera, Land Use Planner
Department of Design, Construction and Land Use
Land Use Division